

MINUTES OF THE ANNUAL MEETING of the DUCHESNE-STRAWBERRY Distribution System, with the State Engineer, held on February 26, 1960, at the Duchesne County Court House, Duchesne, Utah.

The meeting was called to order at 4 o'clock p.m., by Elwood B. Carter, Chairman of the Executive Committee of the Associated Water Users of the Duchesne and Strawberry Rivers. Mr. Criddle explained the delay in convening the meeting. He and his assistants had been to Vernal, Utah holding a meeting, and it was not concluded in sufficient time to permit them to reach Duchesne and convene this meeting at 3 o'clock p.m.

Present were:

Wayne D. Criddle	State Engineer's Office - State Engineer
Frank Reese	State Engineer's Office - Auditor
Donald C. Norseth	State Engineer's Office - Distribution Engineer
Clarence E. Erickson, Jr.	State Engineer's Office

Elwood B. Carter	Tabiona, Utah	Executive Committee
Lula Muns	Duchesne, Utah	Secretary, Rocky Point Ditch Co.
Earl Muns	Duchesne, Utah	Rocky Point Ditch Co.
Otto K. Weaver	Ft. Duchesne, Utah	Bureau of Indian Affairs
John Muns	Duchesne, Utah	Executive Committee
Hale Holgate	Arcadia, Utah	Moon Lake Association
Marion Ross	Myton, Utah	Committee Member, Duchesne River
B. O. Colton	Roosevelt, Utah	Water Commissioner
Frank Liddell	Myton, Utah	Uintah Basin Irrigation Co.
Charlie D. Fabrizio	Hanna, Utah	Rhoades Canal Co.
Dean Powell	Duchesne, Utah	Little Farm Creek
Ralph Olsen	Duchesne, Utah	Strawberry River
Thomas Olsen	Duchesne, Utah	Strawberry River
Malvin B. White	Duchesne, Utah	Murray-White Canal
Earl Wright	Duchesne, Utah	Broadhead Ditch
A. Foster Rhoades	Hanna, Utah	Rhoades Canal
Elmer R. Moon	Duchesne, Utah	Rocky Point Ditch Co.
Mont S. Poulson	Duchesne, Utah	Strawberry River
Edwin Carman	Duchesne, Utah	Rocky Point Ditch Co.
Ray Lee	Hanna, Utah	Little Farm Creek Co.
June Roberts	Tabiona, Utah	Farm Creek Irrigation Co.
Alfonzo Dafa	Hanna, Utah	Private Ditch
Arthur Fabrizio	Hanna, Utah	Rhoades Ditch Co.
Karl Van Tassell	Tabiona, Utah	Tabby Irrigation Co.
Howard Cowan	Duchesne, Utah	Rocky Point Ditch Co.
Harvey Gee	Duchesne, Utah	Rocky Point Ditch Co.
L. R. Swasey	Duchesne, Utah	Rocky Point Ditch Co.
Cliff Mickelson	Duchesne, Utah	Strawberry River
Ivon Brown	Duchesne, Utah	Brown Ditch
Ray Broadhead	Duchesne, Utah	Broadhead Ditch
Jerry Morkley	Duchesne, Utah	Rocky Point Ditch Co.
Louie Galloway	Roosevelt, Utah	Secretary of Ass'n.
Florence Poulson	Duchesne, Utah	Stenographer for the meeting.

PURPOSE OF MEETING

Mr. Criddle, State Engineer, stated that there were 22 different river distribution systems in the State, and Mr. Reese, his office Auditor, has a separate account for each system and collects and keeps an account for each separate water right in each system. He said the purpose of this meeting is to discuss problems

of the past year in regards to distribution, make reports, report the expenditures of funds, present the budget for the coming year, and appoint a water commissioner.

CHAIRMAN

Mr. Criddle also stated that it is necessary to appoint a chairman to conduct this meeting.

Mr. Carter asked for nominations for a chairman for the meeting.

A motion was made by Hale Holgate that Mr. Carter be chosen to act as chairman of the meeting. The motion was seconded by Charlie D. Fabrizio. Motion carried.

ANNUAL MEETING MINUTES Approved

Minutes of the Annual Meeting of the Duchesne-Strawberry Distribution System held March 3, 1959 were read by Louis Galloway, Secretary, for approval.

A motion was made by Edwin Carman that the minutes be accepted as read. The motion was seconded by A. Foster Rhoades. Motion carried.

FINANCIAL REPORT-1959

Frank Reese, of the State Engineer's Office, presented the financial report for 1959. He stated it to be quite lengthy so he will just read the first page unless ask to read it in full. Mr. Reese stated that the budget total of \$6000 is the same, but the item numbers set up in the State Engineer's report do not all follow the budget items as listed in the minutes of the meeting of last year; and items: Hydrographer \$200.00, Matching Social Security \$5.00, and Miscellaneous Expense \$125.00, as listed in minutes, are listed in his report as: Bonds & Insurance Premiums \$50.00, Miscellaneous Expense \$230.00, and Office Supplies and Equipment \$50.00. Mr. Reese explained the difference to be the result of the State Engineer not receiving a copy of last years minutes until late in 1959, and after they had listed the budget items according to their record, and had disbursed funds.

The financial report as read by Mr. Reese is as follows:

DUCHESNE-STRAWBERRY RIVER DISTRIBUTION SYSTEM

STATEMENT OF CASH RECEIPTS AND DISBURSEMENTS FOR THE PERIOD OF JANUARY 1, 1959 THROUGH DECEMBER 31, 1959

State Engineer Check Book Balance, Dec. 31, 1958 :	\$ 2,778.51
Plus Total Receipts (Jan. 1 -- Dec. 31, 1959) :	\$ 5,657.95 *
Less Total Expenditure (Jan. 1 -- Dec. 31, 1959) :	\$ 5,538.92
State Engineer Check Book Balance, Dec. 31, 1959 :	\$ 2,897.54
Less Known Bills Payable after Dec. 31, 1959 :	\$ 36.18

Unencumbered Cash Balance, Dec. 31, 1959 : \$ 2,861.36

Reconciliation:

First National Bank Statement, December 31, 1959 : \$ 2,990.39
 Less Outstanding Checks, Dec. 31, 1959 : \$ 92.85
 Less Known Bills Payable after Dec. 31, 1959 : \$ 36.18

Unencumbered Cash Balance, Dec. 31, 1959 : \$ 2,861.36

* Note: Outstanding Delinquent Assessments
 total \$383.15

/s/ Frank Reese

Mr. Reese reported that there are nineteen delinquent accounts on the system, amounting to \$383.15. Also, there is about \$300.00 more of bills payable after December 31, 1959, to add to the \$36.18 which was listed in his report.

Foster Rhoades asked concerning the delinquencies and what will be done to collect them.

Mr. Reese stated that Mr. Criddle will take up the matter of the delinquent assessments.

Mr. Criddle said the assessment is made to obtain funds with which to pay the cost on the river system and that it must be paid. However, the State Engineer's Office should not have to be a collection agency. The State law specifies that the assessments are due on May 1st each year, and it has been proposed in his office that hereafter there be a penalty attached to delinquent assessments if not paid by June 1st, the year of the levy, and that they have decided to recommend a 10% penalty on all delinquencies, with the minimum penalty to be \$1.00. If imposed the penalty money will go into the accounts of the water distribution system. The assessment is made according to law and is for the benefit of the water users and, therefore, it is a must. Mr. Criddle stated he hoped that the group will give their support to him in this matter. Charging a penalty has been taken up with the Attorney General's office and can legally be collected.

MEASURING DEVICES

Mr. Criddle said it is impossible to satisfactorily regulate and supervise diversion of water without measuring and control structures. The expenses of a lawsuit in one legal action will cost more than several measuring devices. He hopes that measuring devices and control structures will be constructed where they are needed. He said the State did not want to be unreasonable but in his office they feel that it is a necessity to have control and measuring devices at all diversions.

ASSESSMENT NOTICES

It was stated that the notices of the assessment will be sent out as soon

as possible after the assessment is figured in order to give people sixty days of advance notice before the assessment becomes delinquent on June 1st.

Mr. Morris Buckwalter asked to whom these notices would be sent and was told that they would be sent directly to the water user.

FINANCIAL REPORT APPROVED

A motion was made by Otto K. Weaver that the financial report, as read by Mr. Frank Reese, be accepted. Kenneth Wilkinson seconded the motion. The motion carried.

PENALTY ON DELINQUENT ASSESSMENTS

A motion was made by Marion Ross that the recommendation of Mr. Criddle, State Engineer, regarding penalty on delinquent assessments be accepted. The motion was seconded by Mont Poulson. Motion carried.

WATER COMMISSIONER'S REPORT

B. O. Colton, Water Commissioner, who is resigning, responding to Mr. Criddle's request made the following oral report:

"The distribution problems as reported in last years minutes are still applicable, and little has been accomplished in getting more measuring devices installed. It is useless to make excuses, and still during the year, under pressure for canal losses measurements, three measuring devices were installed and an effort was made in several other instances to secure measuring and control facilities, there being about a dozen individuals contacted relative to this matter. I feel that measuring and control structures are essential and some insistence will have to be put behind the effort to get them installed, and especially by the State Officials."

"Regardless of the fact that 1959 was a difficult year and a dry year also, in all but two of the canals for which continous recorder records are had for the water diverted, the 1959 diversion exceeded the diversion made in 1958. In 1958, 21 thousand plus, acre feet were diverted through the Duchesne Tunnel from the Duchesne River to the Provo River and there were 35 thousand plus, acre feet diverted in 1959. Even so, 1959 is the only year since it was constructed that diversion of Duchesne River water through the tunnel was stopped for a period because of a short water supply on the Duchesne River."

"There are eleven canals on the Duchesne River which have in use water flow recorders, and there are several others with measuring structures at the head, out of approximately eighty canals and ditches. However, the greater percent of the water ~~is~~ diverted is under recorder record measurements. Records for the water diverted in those without recorders depend on water depth gage observations made periodically. Realizing that there has been too much guess work in this practice is one of the principal reasons motivating me to suggest consideration of having a full time commissioner for the Duchesne and Strawberry Rivers. Even daily gage observations do not furnish a satisfactory record unless someone lives with the job, and knows when changes are made in the flow being diverted in each of the ditches, and guess work is eliminated as much as possible. Complete cooperation of the owners of the ditches in supplying the commissioner with information on all changes in flow is indispensable when there is no recorder in use."

Thomas Olsen asked about the measuring of water on the Strawberry River, if it is possible to measure the water at the "Pinnacles" and again at the "Winslow" gaging station, and establish what has been diverted between the two points from the flow records obtained.

Mr. Colton stated various plans had been considered for the Strawberry. One would be to divide the appropriators into divisions and let the users in the division rotate or take turns using an irrigation stream with only one stream for each division. Most likely the records will still be poor on the Strawberry River, regardless of the method used to measure the water diverted from it. Observations and information indicate that the use of water from the Strawberry is not excessive. The State Engineer can help in making a program for the Strawberry River and this should have his attention.

STATE ENGINEER'S REMARKS

Mr. Criddle said the State Engineer's Office appreciates very much the work that has been done by Mr. Colton over the past 26 years as Water Commissioner on the Duchesne-Strawberry Rivers, and they have enjoyed the privilege of working with him.

In regards to the measurement of water for the Strawberry River, Mr. Criddle stated that there is a possibility through a plan now possible that a guaging station on the upper Strawberry River can be established and maintained through the cooperation with the U. S. Geological survey.
of his office

He also said: "We have to look forward to more measuring devices on the distribution system. You can get ASC help on measuring devices, but will be without financial assistance if the State has to order that they be installed. We want to encourage getting adequate control devices, and we will order them put in if other methods fail."

WATER COMMISSIONER'S REPORT APPROVED

Hale Holgate made a motion that approval be given of the Water Commissioner's report. The motion was seconded by Marion Ross. Motion carried.

WATER COMMISSIONER CHOSEN

Mr. Carter stated that at the annual meeting of the Water Users held prior to this meeting today, consideration was given to applicants for the Water Commissioner job on the Duchesne-Strawberry Rivers distribution system. He said they also considered the recommendation by Water Commissioner, B. O. Colton, that a full time commissioner was needed on the system. Therefore, Mr. Leo L. Brady is recommended to the State Engineer as Water Commissioner for the Duchesne-Strawberry Rivers Distribution System, at a salary of \$5,000.00 per year.

Mr. Criddle stated that the State Engineer's Office would accept the recommendation and appoint Mr. Leo L. Brady as Water Commissioner.

ORGANIZATION

To inform Mr. Criddle, and for his records he was advised the following men were elected as members of the Committee of the Associated Water Users on the Duchesne and Strawberry Rivers; at their annual meeting held earlier in the day:

District No. 1, from the steel bridge on the Duchesne River to the head, Edward R. Carter, Tabiona.

District No. 2, from the steel bridge to the confluence of the Duchesne and Strawberry Rivers, John Manz, Duchesne, Utah.

District No. 3, the Strawberry River and tributaries, Glen Remund, Duchesne, Utah.

District No. 4, on the north side of the Duchesne River below the confluence of the Duchesne and Strawberry Rivers, Hale Holgate, Arcadia, Utah.

District No. 5, on the south side of the Duchesne River below the confluence of the Duchesne and Strawberry Rivers, Marion Ross, Myton, Utah.

Otto K. Weaver, Ft. Duchesne, Utah, is representing the Bureau of Indian Affairs or the Uintah-Ouray Indian Agency.

Mr. Criddle stated that he is pleased with the organization and it would appear that every one has a chance of representation.

BUDGET

Mr. Carter presented the recommended 1960 Commissioner's budget which totaled \$7,000.00, and which is as follows:

<u>Item No.</u>	<u>Purpose</u>	<u>Amount</u>
1	Commissioner's Salary	\$5,000.00
2	Matching Social Security	144.00
3	Travel (Automobile)	1,000.00
4	Office Rent	170.00
5	Telephone Expenses	100.00
6	Annual Report (1959)	300.00
7	Bonds & Insurance Premiums	25.00
8	Miscellaneous Expenses	211.00
9	Office Supplies and Equipment	50.00
	Total	<u>\$7,000.00</u>

A motion was made by Otto K. Weaver that the budget of \$7,000.00, as set up be accepted, and the basis of assessment be on the 1959 deliveries. Hale Holgate seconded the motion. Motion carried.

ASSESSMENT

Mr. Criddle suggested that consideration be given in the future for the basis of assessment be the same as is generally used throughout the State namely; to apportion the assessment on the average amount of water diverted per year based on the previous 5 years, instead of that diverted the prior year. Inasmuch as this year is just the fourth year for this distribution system the assessment could be on the basis of the past three-year average delivery, and next year on the four-year average, and from then, on a five-year average basis. Mr. Criddle said this could be something to think about for another year.

Mr. Weaver then made a motion that the basis of assessment for this year be on the past three-year average delivery. Hale Holgate seconded the motion. Motion carried.

UINTAH BASIN IRRIGATION COMPANY INCREASING IRRIGATED AREA

Frank Liddell, of the Uintah Basin Irrigation Company, ask concerning the availability of water for his company to put new and under cultivation until all of the suitable farm land under the canal is served, and is entitled to an allocation of water when the adjudication is made.

Mr. Colton said it would depend upon the amount of water available in the river because all prior rights must be supplied before water can be made available to his company.

CASH RESERVE

Mr. Criddle mentioned the fact that in the minutes of the past year a motion was made authorizing a reserve of \$2500.00, and ask for the desires for the present year concerning this.

made \$7,000
Otto K. Weaver made a motion that the assessment this year be made on the basis of the \$7000.00 budgeted. Edwin Carman seconded the motion. Motion carried.

DELINQUENT ASSESSMENTS

Mr. Carter called attention to the delinquent assessments and stated that the State Engineer handed him a list of all delinquencies and if anyone has any question as to their status they can come up and check the list. He also suggested that as many as can, pay the delinquency now, while the State Engineer is present to receive the payment.

A motion was made by Hale Holgate that meeting be adjourned. The motion was seconded by Charlie D. Fabrizio. Motion carried.

Meeting adjourned at 5:45 p.m.

Louie Galloway

Louie Galloway